



**JUSITIFICATION FOR OTHER THAN FULL & OPEN COMPETITION
FEDERAL ACQUISITION REGULATION SUBPART 6.302-1
CONTRACT NO. EP-W-09-031**

This document is being prepared pursuant to the content requirements prescribed in Federal Acquisition Regulation (FAR) subpart 6.303-2.

1. AGENCY INFORMATION:

Agency:

U.S. Environmental Protection Agency (EPA)

Contracting Activity:

Office of Acquisition Management (OAM)

Superfund RCRA/Regional Procurement Operations Division (SRRPOD)

Emergency Response Service Center (ERSC)

Program Office:

Office of Superfund Remediation and Technology Innovation (OSRTI)

2. NATURE/DESCRIPTION OF ACTION(S) BEING APPROVED:

The Office of Superfund Remediation and Technology Innovation's (OSRTI) Environmental Response Team (ERT) provides scientific and engineering services in support of the Office of Land and Emergency Management (OLEM), EPA Regional On-Scene Coordinators (OSCs), Remedial Project Managers (RPMs), and other Agency groups. Henceforth, the aforementioned Office, Coordinators, Managers and groups will be referred to as Clients. The contractor support includes limited on-site work at Edison, NJ; Research Triangle Park, NC; and Las Vegas, NV; as well as time site specific work throughout the United States of America, and at various international sites as specified.

As one of the EPA's 40 CFR 300 National Contingency Plan Special Teams (300.145b (1)), the ERT may bring specialized skills to an incident, such as air monitoring, mobile air monitoring or analysis, dive capabilities and other disciplines of technical and logistical assistance.

The Scientific, Engineering, Response and Analytical Services Contract (SERAS) supports the ERT offices, located in Edison, NJ, Las Vegas, NV as well as small satellite offices located in Erlanger, KY, and Research Triangle Park, NC. The SERAS contract utilizes government furnished equipment and facilities in Edison, Las Vegas and Research Triangle Park to provide logistical, technical and analytical support to the ERT in conducting Agency missions under following authorities:

- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

- Superfund Amendments and Reauthorization Act (SARA)
- Oil Pollution Act (OPA)
- Resource Conservation and Recovery Act (RCRA), Toxic Substances Control Act (TSCA)
- Clean Water Act (CWA)
- Clean Air Act (CAA)
- National Oil and Hazardous Substances Pollution Contingency Plan (NCP)
- Presidential Decision Directives (PDD) 39, 62, and 63
- National Response Framework (NRF)
- Robert T. Stafford Natural Disaster Act
- Federal Emergency Management Act (FEMA) and other legislative acts

3. DESCRIPTION OF THE SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS:

The purpose of the SERAS contract is to furnish national logistical, technical and analytical capabilities to the ERT as it provides response support ranging from an emergency action; a time-critical Removal action, or a Homeland Security/Incident of National Significance (INS) to non-time critical Removal and Remedial actions in such areas including, but not limited to:

- Emergency response/INS: domestic, foreign, Homeland Security related
- Mobile analytical and limited fixed laboratory support
- Biological/ecological studies
- Engineering/remediation studies, designs, treatability/feasibility studies, technology evaluations, process reviews, and plant inspections
- Multimedia/multi-matrix studies (e.g. geological or geotechnical investigations, soil gas surveys, high resolution/3D visualization site characterizations, groundwater investigations, risk assessments, field analytical surveys)
- Site optimization studies
- Sustainable site remediation designs
- Health and safety activities including on-site field audits
- Quality assurance programs
- Data management support
- Incident preparation exercises and training
- Management support for planning, preparing and incident response
- Other technical support services associated with the implementation of those listed above, including equipment maintenance and support

Refer to Attachment 3: Statement of Work (SOW) for a detailed description of the scope of services required to ensure continued support of this requirement for the duration of this contract extension.

Given that all period of performance extensions of the current contract have been exhausted, and the follow-on contract will not be in place until 2019, the anticipated duration of this contract extension shall be for a maximum of twelve months inclusive of one 6-month base period and one 6-month option. The contract period of performance will be modified as follows:

EXTENSION PERIOD:

Base: March 23, 2018 through September 22, 2018

Option: September 23, 2018 through March 22, 2019

(b)(5)

4. SUMMARY OF JUSTIFICATION RATIONALE:

This Justification for Other Than Full and Open Competition (JOFOC) is being issued pursuant to the authority granted by 41 U.S.C. 253 (c) and FAR subpart 6.302-1; only one responsible source and no other supply or service will satisfy the agency's requirement at this time. An extension to the current SERAS contract is paramount to ensure that optimal consistency and continuity of the support the ERT provides to such efforts as the Administrator's current Superfund Taskforce Recommendation implementation, Agency Priority Goals for FY 18-19, as well as mission critical activities relative to assessment, cleanup and the protection of human health and the environment is maintained.

5. DETERMINATION OF UNIQUE QUALIFICATIONS:

It has been determined that Leidos Innovations Corporation (Leidos), is uniquely qualified to support the Environmental Response Team's SERAS contract for the following reasons:

(b)(4),(b)(5)

(b)(4),(b)(5)

6. DESCRIPTION OF EFFORTS TO ENSURE OFFERS SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE:

A sources sought was issued via the Government Point of Entry, Federal Business Opportunities (FBO), on April/May 2014, as well as an assessment of qualified candidate companies on the GSA Vendor Schedule to solicit feedback and identify potential sources capable of supporting this requirement via SOL-HQ-14-00014. To reaffirm interest in this contract, another Sources Sought was issued under Solicitation 68HE518R0003 in February 2018. In response, three of the largest firms in the environmental industry continue to express targeted interest in this requirement (Please see No. 10 – List of Interested Sources).

7. PRICE REASONABENESS DETERMINATION:

The Contracting Officer has determined the proposed contract extension is in the best interest of the Government given the highly-specialized unique technical support obtained through the SERAS contract.

(b)(5)

8. DESCRIPTION OF MARKET RESEARCH CONDUCTED:

The extent of market research consisted of an April/May 2014 Request for Information posting as well as a Sources Sought to determine if there were adequate competition available on the GSA schedules to perform this requirement. In addition, another Sources Sought was recently issued in February 2018.

(b)(5)

9. OTHER SUPPORTING FACTS:

Based on market research conducted and interest from the small business community, the acquisition strategy for the reprocurement will consist of a total small business set-aside carve out with a limited scope of work. This expanded strategy considers small businesses, and affords them the opportunity to perform work historically only performed by large businesses/firms.

10. LIST OF INTERESTED SOURCES:

Interested firms that were identified through market research are as follows:

1. (b)(4),(b)(5)
- 2.
3. Leidos Innovation Corporation, Inc. (incumbent)

11. STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION:

The Government is presently engaged in the active re-procurement of a five-year contract to provide the technical, logistical and analytical support to the ERT in its support of Agency mission critical assessment, removal and remediation of hazardous waste sites. This contract is being procured competitively under FAR Part 15 procedures and is anticipated to be awarded by March 22, 2019, if not before.

12. CONTRACTING OFFICERS CERTIFICATION

The Contracting Officer hereby certifies to the best of my knowledge and belief this justification is accurate and complete and its issuance is in the best interest of the Government.

ATTACHMENTS:

1. IGCE
2. ODCs
3. STATEMENT OF WORK
4. SOURCES SOUGHT
5. SOURCES SOUGHT REVIEW
6. MILESTONE PLAN

SIGNATORIES

PREPARED AND RECOMMENDED BY:

Tia Gatling
Contract Officer

Date

CONCURRED & REVIEWED BY:

Claudia M. Armstrong
Contracting Officer/Service Center Manager

Date

REVIEWED BY:

Office of General Counsel
Office of Acquisition Management

Date

APPROVED BY:

Tommie Madison
Competition Advocate

Date